



## PREFACE

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This is the Texas Municipal Courts Education Center's *2013 Forms Book*, Eleventh Edition, with changes incorporated from the 83rd Legislature. Several forms have changed due to statutory amendments, and multiple new forms have been created to ensure that municipal courts have most, if not all, of the forms necessary to efficiently and effectively process cases and serve the ends of justice. Look for the  icon on each chapter's table of contents to indicate forms that have been added and the  icon to indicate forms that have changed since the last edition. Some of the new forms include: a search warrant (and affidavit) for fire, health, and code inspections, a magistrate's record of service of order of emergency protection, an order of waiver of surcharges for indigent defendants, a waiver of payment of fine and costs for indigent defendants and children, a defendant's waiver of option to discharge fine or costs by performing community service, a waiver of jurisdiction and transfer to juvenile court for a child with mental illness, disability, or lack of capacity, an order dismissing complaint for a child with mental illness, disability, or lack of capacity, and a bill of costs. Many forms have also been updated to include legislative amendments, including new provisions for licensed court interpreters, magistrate's orders of emergency protection, transfers to juvenile court, and written statements of children. Updated forms for reporting to the Department of Public Safety are also included.

Take a few moments to review each new form and determine whether it might be of benefit to your court. Note that the top of each form includes a heading containing our title for the form and any relevant statute to which it pertains. The chapter title and revision date are located at the bottom of each form along with a page number for reference within the book. Editor's notes are located on some forms in order to highlight important or unclear areas of law. Your court may delete all of this information for practical use. Remember that all papers issued out of the court (except for subpoenas) and all documents of the court that need authenticating should bear the municipal court's seal. Feel free to modify these forms to accommodate the needs of your court. You may access the forms in Microsoft Word format online at [www.tmcec.com/Resources/Books/Forms\\_Book](http://www.tmcec.com/Resources/Books/Forms_Book) and save a copy directly to your court's computer.

We realize that many courts are using software to generate complaints. However, as diverse as the municipal courts of Texas are, there are several courts that rely on sample complaints from TMCEC and other courts. In an ongoing effort to conserve paper and encourage use of the TMCEC website, we have removed the sample complaints from newer editions of the *Forms Book*. Instead, we have created a Complaint Bank on the TMCEC website that includes all the model complaints included in previous editions of the *Forms Book*. We invite prosecutors and clerks to submit model complaints for varying state-law Class C misdemeanor offenses. Ideally, we can develop a databank with model language for each of the thousand-plus Class C misdemeanors in Texas law!

We are constantly revising the forms within this publication, and we greatly appreciate suggestions and examples from municipal courts across the state, to help make this book as useful and accurate as possible. This book will be revised again in 2015 to reflect any changes made by the 84th Legislature and Texas courts.

Regan Metteauer  
Program Attorney  
August 2013

## CAVEAT

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This book is intended to serve as only a guide and to provide accurate and current information. However, it is published with the intention that TMCEC is not engaged in rendering legal or other professional advice. All users must be responsible for their own legal drafting. Legal drafting should be accompanied by legal advice and direction from the city attorney.

TMCEC and its employees do not warrant, either expressly or implicitly, that the forms and information in this volume have not been subject to change, amendment, reversal, or revision.

## ACKNOWLEDGEMENTS

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Thank you to following individuals for their contributions to this and prior versions of the TMCEC *Forms Book*:

W. Clay Abbott, Austin; Laura Anderson, Irving; Cielito “Sky” Apolinar, Austin; Lidia Ball, Austin; Courtney Barajas, San Antonio; James Bethke, Austin; Noelia Cortez Benson, Austin; Judge Jan Blacklock-Matthews, Lubbock; Judge Martha Brennon-Nease, Tenaha; Michael Brown, Fort Worth; Deanna Burnett, Carrollton; Hilda Cuthbertson, Bryan; Margaret Danforth, Austin; Angela DeLuca, College Station; Judge Robert Doty, Lubbock; Dylan O. Drummond, Austin; Ross Fischer, San Antonio; Beatrice Flores, Austin; Herman Flores, Austin; Tracie Glaeser, Lewisville; Judge Bonnie Goldstein, Royse City; Mark Goodner, Austin; Nigel Gusdorf, Austin; Jo Dale Guzman, Austin; Rey Guzman, Austin; Judge Sara Hartin, New Braunfels; Judge Francisco Hernandez, Grand Prairie; Hector Hernandez, Houston; Judge Brian S. Holman, Lewisville; Paul Isham, Lago Vista; Seth Johnson, Austin; Annette Jones, Waco; Elisabeth (Gazda) Kaylor, Arlington; Deanie King, Brazoria; Judge Matthew King, Tarrant County; Claudia Lemon, Boerne; Hope Lochridge, Austin; Judge Kevin Madison, Lakeway; Judge Ninfa Mares, Fort Worth; Janet Marton, Houston; Karen Meyers, Austin; Judge Ron Meyerson, Austin; Nancy Nicoles, Austin; Obeng Opoku-Acheampong, Dallas; Ana Otero, Houston; Katherine Peake, Fredericksburg; Elizabeth Price, Austin; Meichihko Proctor, Austin; Sharon Pruitt, Austin; Judge Robin Ramsay, Denton; Judge Robert Richter, Missouri City; Cathy Riedel, Austin; Margaret Robbins, Cedar Park; Judge Jay Robinson, Dallas; Sheri Russell, San Marcos; Patricia Russo, Austin; Judge Jennifer Rymell, Tarrant County; Roxanne Salinas, Austin; Shane Scribner, Houston; Judge Ed Spillane, College Station; Scott Stevens, Austin; Desiree Taylor, Austin; Katie Tefft, Austin; Patty Thamez, Austin; Ryan Turner, Austin; Noël Wells, Austin; Judge Steve Williamson, Fort Worth; and Lois Wright, Austin

# TABLE OF CONTENTS

## I. OATHS

A.	Anti-Bribery Oath of Appointed Officer .....	1
B.	Anti-Bribery Oath of Elected Officer .....	2
C.	Oath of Office .....	3
Updated D.	Oath for Language Interpreter .....	4
E.	Oath for Interpreter for Deaf or Hard of Hearing Juror, Defendant, or Witness .....	5

## II. COMPLAINTS

A.	Model Complaint for State Law Violations .....	6
B.	Model Complaint for City Ordinance Violations .....	7
C.	Model Application for Citizen Complaint.....	8

## III. SUBPOENAS & SUMMONS



A.	Summons for Defendant.....	11
B.	Parental Summons.....	12
C.	Corporate Summons.....	13
D.	Subpoena for Witness .....	14
E.	Subpoena for Child Witness.....	15
F.	Subpoena Duces Tecum.....	16
G.	Writ of Attachment for Witness Disobeying Subpoena .....	17
H.	Witness Excuse Letter.....	18



## IV. WARRANTS & CAPIASES

A.	Warrant of Arrest: Judge .....	19
B.	Warrant of Arrest: Magistrate .....	20
C.	Affidavit for Probable Cause for Arrest Warrant (Under Chapter 45, C.C.P.).....	21
D.	Affidavit for Probable Cause for Arrest Warrant (Under Chapter 15, C.C.P.).....	22
E.	Affidavit for Probable Cause for Failure to Appear .....	23
F.	Affidavit for Probable Cause for Failure to Appear or Violation of Promise to Appear when Original Charge Filed by Citation.....	24
G.	Search Warrant.....	25
H.	Affidavit for Search Warrant.....	26
I.	Search and Arrest Warrant .....	27
J.	Affidavit for Combined Search and Arrest Warrant .....	28
K.	Blood Search Warrant .....	29
L.	Affidavit for Blood Search Warrant .....	31
NEW N.	Search Warrant for Fire, Health, and Code Inspections .....	32
NEW N.	Affidavit for Search Warrant for Fire, Health, and Code Inspections .....	33
O.	Capias (Chapter 23, C.C.P.) .....	34
P.	Capias (Chapter 43, C.C.P.) .....	35

## V. MAGISTRATE DUTIES

A.	Presentation Before the Magistrate	
1.	Magistrate's Warning .....	36
2.	Magistrate's Determination of Bail and Commitment Form .....	37
3.	Application for Further Detention .....	38
4.	Release: With Order to Appear.....	40
5.	Release: Magistrate's Determination of No Probable Cause .....	41
6.	Out-of-County Magistrate's Bench Judgment .....	42
7.	Bail with Ignition Interlock Condition.....	43
8.	Bail Condition Where Child is Alleged Victim .....	44
B.	Juveniles	
1.	Statutory Warning of a Child.....	45
Updated 2.	Written Statement of a Child .....	46
3.	Magistrate's Certification of Child's Written Statement .....	47
4.	Magistrate's Determination of Voluntariness – Recorded Statement of Child .....	49
C.	Domestic Violence	

	1. Magistrate's Order of Emergency Protection .....	51
	2. Magistrate's Record of Service of Order of Emergency Protection .....	55
	3. Clerk's Letter: Copy of Magistrate's Order of Emergency Protection .....	56
	4. Motion to Modify Magistrate's Order of Emergency Protection.....	57
	5. Order Modifying Magistrate's Order of Emergency Protection .....	58
D.	Mental Health Issues .....	
	1. Application for Emergency Detention .....	59
	2. Order for Issuance of Mental Health Warrant .....	60
	3. Mental Health Warrant for Emergency Detention .....	61
	4. Sheriff's Notification – Person in Custody with Possible Mental Illness/Mental Retardation .....	62
	5. Magistrate's Order for Mental Illness/Mental Retardation Exam.....	63
	6. Order into Custody for Mental Illness/Mental Retardation Exam .....	64
	7. Warrant for Mental Health/Mental Retardation Exam – Person Failing to Submit Voluntarily.....	65
F.	Property Hearings / Other .....	
	1. Inventory of Property Seized .....	66
	2. Notice of Stolen Property Hearing.....	67
	3. Order Awarding Possession of Stolen Property.....	68
	4. Order for Impoundment of Out-of-State Motor Vehicle.....	69
<b>VI. TRIAL APPEARANCE BONDS</b>		
A.	Cash Bond: Posted by the Defendant.....	70
B.	Cash Bond: Posted by a Third Party .....	71
C.	Personal Bond .....	72
D.	Surety Bond .....	73
E.	Oath of Surety .....	74
F.	Motion and Order to Revoke Personal Bond .....	75
<b>VII. BOND FORFEITURE</b>		
A.	Affidavit of Intention to Surrender Principal .....	76
B.	Capias: After Forfeiture or Upon Surrender of Principal .....	77
C.	Warrant of Arrest: Surrender of Principal .....	78
E.	Bailiff's/Clerk's Affidavit of Defendant's Failure to Appear .....	79
F.	Judgment Nisi Declaring Forfeiture: Cash or Personal Recognizance Bond .....	80
G.	Judgment Nisi Declaring Forfeiture: Surety Bond .....	81
H.	Scire Facias Docket .....	82
I.	Citation.....	83
J.	Dismissal and Reinstatement of Bond.....	84
K.	Motion and Order of Dismissal With Costs .....	85
L.	Motion and Order of Dismissal Without Costs .....	86
M.	Final Judgment: Cash or Personal Recognizance Bond – Finding for State .....	87
N.	Final Judgment: Surety Bond – Finding for State .....	88
O.	Agreed Final Judgment .....	89
<b>VIII. PLEAS</b>		
A.	Plea Form: By Mail or Delivery to Court .....	90
B.	Notice to Defendant Following Plea by Mail.....	91
C.	Plea Form: In Person .....	92
<b>IX. DEFERRED PROCEEDINGS</b>		
A.	Deferred Disposition .....	
	1. Deferred Disposition Order .....	93
	2. Deferred Disposition Order: Defendant Under Age 25 – Moving Violation.....	95
	3. Deferred Disposition: Notice to Defendant to Show Cause.....	97
	4. Deferred Disposition: Extension of Deferral Period.....	98
	5. Judgment: Final Disposition of Deferred Disposition .....	99
B.	Driving Safety Course .....	
	1. DSC Warning Sign .....	100
	2. Request for a Driving Safety Course .....	101




3.	Affidavit for a Driving Safety Course .....	102
4.	Judgment: Driving Safety Course Granted .....	103
5.	Driving Safety Course: Notice to Defendant to Show Cause .....	104
6.	Driving Safety Course: Extension of Time to Present Evidence of Completion .....	105
7.	Judgment: Final Disposition of Driving Safety Course .....	106
C.	Teen Court	
1.	Teen Court Request/Agreement.....	107
2.	Teen Court Order .....	108
3.	Teen Court Jury Instructions.....	109
4.	Teen Court Community Service Referral .....	111
D.	Chemically Dependent Person Order.....	112
 <b>X. TRIAL SETTINGS</b>		
A.	Non-Jury Trial Setting Form: Defendant Appears by Mail .....	113
B.	Non-Jury Trial Setting Form: Defendant Appears in Person .....	114
C.	Jury Trial Setting Form: Defendant Appears by Mail .....	115
D.	Jury Trial Setting Form: Defendant Appears in Person.....	116
E.	Election for Jury to Assess Punishment .....	117
F.	Pre-Trial Setting .....	118
G.	Trial Date Reset Notice .....	119
H.	Order to Summon Venire .....	120
I.	Jury Service Cover Letter.....	121
J.	Juror Information Sheet.....	122
K.	Official Model Jury Summons and Questionnaire .....	123
L.	Jury Panel List (Venire Panel) .....	127
M.	Other Jurors Summoned (“Pick Up Jury”).....	128
N.	Jury List.....	129
O.	Evidence Log Form.....	130
P.	Verdict: Election for Jury Punishment .....	131
Q.	Verdict: Jury Sentence & Bench Punishment.....	132
R.	Juror/Witness/Defendant Excuse Letter .....	133
S.	Certificate of Appreciation for Jury Service.....	134
T.	Admonishment for Expunction on Acquittal.....	135
 <b>XI. JUDGMENTS &amp; ORDERS</b>		
A.	Judgment: Jury Waived – Guilty.....	136
B.	Judgment: Jury Waived – Guilty (Juvenile) .....	137
C.	Judgment: After Jury Verdict .....	138
D.	Judgment: After Jury Verdict (Juvenile) .....	139
E.	Judgment: Forfeiture of Cash Bond in Satisfaction of Fine .....	140
F.	Judgment: Not Guilty (Adult and Juvenile) .....	141
G.	Order to Refund Cash Bond .....	142
 H.	Dismissal by the Court: Compliance Dismissal (Offenses Committed Before March 1, 2015) .....	143
 I.	Dismissal by the Court: Compliance Dismissal (Offenses Committed On or After March 1, 2015) .....	145
J.	Judgment: Driving or Operating Watercraft Under the Influence of Alcohol by Minor – Guilty .....	147
K.	Judgment: Possession, Purchase, Consumption, or Receipt of Cigarettes or Tobacco Products by Minor – Guilty.....	148
L.	Judgment: Purchase of Alcohol by Minor, Attempt to Purchase Alcohol by Minor, Consumption by Minor, Minor in Possession of Alcohol, Misrepresentation of Age by Minor – Guilty.....	149
M.	Judgment: Electronic Transmission of Certain Visual Material Depicting Minor by 17 Year Old Defendant - Guilty .....	150
N.	Failure to Attend School Dispositional Order .....	151
O.	Order of Driver’s License Suspension for Failure to Complete Alcohol or Tobacco Awareness Program and/or Community Service.....	152
P.	Optional Orders Applicable to Juveniles .....	153
Q.	Community Service Addendum - Juveniles .....	154

R.	Tutoring or Community Service Addendum - Juveniles .....	155
S.	Judgment/Jail Credit Addendum (For Persons Age 17 and Older) .....	156
T.	Order for Impoundment of In-State Motor Vehicle .....	157
U.	Order of Release for Impounded Motor Vehicle .....	158

## **XII. APPEALS**

A.	Cash Appeal Bond .....	159
B.	Personal Appeal Bond .....	160
C.	Surety Appeal Bond .....	161
D.	Certified Transcript of Proceedings (Court of Non-Record) .....	163
E.	Checklist for Record on Appeal (Court of Record) .....	164

## **XIII. INDIGENCE, COMMUNITY SERVICE, JAIL CREDIT & PAYMENT PLANS**




A.	Admonishment as to Financial Changes .....	165
B.	Application for Time Payment, Extension, or Community Service .....	166
C.	Installment Agreement Order .....	170
D.	Schedule of Payments for Installment Agreement .....	171
E.	Community Service Order .....	172
F.	Community Service Time Sheet .....	173
 G.	Waiver of Payment of Fine and Costs for Indigent Defendants and Children .....	174
 H.	Order Waiving Surcharges for Indigent Defendant .....	175
I.	Incarcerated Jail Credit Response Letter .....	176
J.	Defendant's Motion to Lay Out Fine in Jail .....	177
 K.	Defendant's Waiver of Option to Discharge Fine or Costs by Performing Community Service .....	178

## **XIV. ENFORCEMENT**

A.	Capias Pro Fine	
1.	Clerk's Affidavit for Capias Pro Fine .....	179
2.	Capias Pro Fine .....	180
3.	Order of Commitment (Capias Pro Fine) .....	181
B.	Contempt	
1.	Show Cause Notice: Adult Defendant Contempt .....	182
2.	Show Cause Notice: Adult Contempt (Not a Defendant) .....	183
3.	Show Cause Notice: Juror Contempt .....	184
4.	Show Cause Notice: Peace Officer .....	185
5.	Show Cause Notice: Witness Contempt .....	186
6.	Contempt: Adult Plea .....	187
7.	Judgment of Direct Contempt: Adult .....	188
8.	Judgment of Indirect Contempt: Adult .....	189
9.	Judgment of Contempt: Failure to Appear for Jury Service .....	190
10.	Judgment of Contempt: Peace Officer Failure to Serve Process .....	191
11.	Judgment of Contempt: Witness Refusal to Obey Subpoena .....	192
C.	Civil Collection	
1.	Abstract of Judgment .....	193
2.	Writ of Execution .....	194

## **XV. JUVENILES**

A.	Expunction	
1.	Alcoholic Beverage Code Offenses	
a.	Application for Expunction: Alcoholic Beverage Code Offenses .....	195
b.	Order for Expunction of Records: Alcoholic Beverage Code Offenses .....	196
2.	Failure to Attend School	
a.	Failure to Attend School: Notice of Expunction Rights .....	198
b.	Application for Expunction: Failure to Attend School .....	199
c.	Order for Expunction of Records: Failure to Attend School .....	200
3.	Tobacco Offenses	
a.	Application for Expunction: Tobacco Offenses .....	202
b.	Order for Expunction of Records: Tobacco Offenses .....	203
4.	Penal Offenses	

a.	Notice of Expunction Rights: Penal Offenses/Deferred Disposition/Teen Court .....	205
b.	Application for Expunction: Penal Offenses .....	206
c.	Order for Expunction of Records: Penal Offenses .....	207
B.	Failure to Attend School Cases	
1.	Affidavit for Complaint: Failure to Attend School - School Attendance Officer .....	209
2.	Complaint: Failure to Attend School .....	210
3.	Affidavit for Complaint: Parent Contributing to Non-Attendance .....	211
4.	Failure to Attend School Dispositional Order.....	212
5.	Dismissal of Untimely Failure to Attend School Complaint .....	213
C.	General Forms	
1.	Order to Take into Nonsecure Custody – Offender Under Age 17 .....	214
2.	Report to Juvenile Court of Complaint Filed.....	215
 3.	Waiver of Jurisdiction and Transfer to Juvenile Court .....	216
 4.	Waiver of Jurisdiction and Transfer to Juvenile Court: Child with Mental Illness, Disability, or Lack of Capacity .....	217
 5.	Order Dismissing Complaint for Child with Mental Illness, Disability, or Lack of Capacity .....	218
6.	Optional Orders Applicable to Juveniles .....	219
D.	Youth Accountability & Enforcement	
1.	Notice of Continuing Obligation to Inform Court of Child’s Residence .....	220
2.	Statement/Change of Residential Address .....	221
3.	Complaint: Violation of Continuing Obligation to Inform Court of Child’s Address .....	222
4.	Judgment Addendum: Child Contempt Warning.....	223
5.	Contempt Show Cause Notice: Child .....	224
6.	Judgment of Contempt by a Child .....	225
7.	Order Referring Child to Juvenile Court for Delinquent Conduct.....	226
8.	Notice of Continuing Obligation to Appear: JNA .....	227
9.	Complaint: Violation of Continuing Obligation to Appear .....	228
10.	Clerk’s Affidavit for Capias Pro Fine: JNA .....	229
11.	Capias Pro Fine: JNA .....	230
12.	Order of Commitment (Capias Pro Fine): JNA .....	231


## **XVI. ANIMAL HEARINGS**

A.	Cruelly Treated Animal(s)	
1.	Affidavit for Warrant to Seize Cruelly Treated Animal(s) .....	232
2.	Seizure Warrant for Cruelly Treated Animal(s) .....	233
3.	Order: Cruelly Treated Animal(s) Hearing .....	235
4.	Appeal Bond: Cruelly Treated Animal(s) Case .....	236
B.	Dogs that Attack Persons	
1.	Affidavit for Warrant to Seize Dog that Caused Serious Bodily Injury or Death.....	237
2.	Seizure Warrant for Dog that Caused Serious Bodily Injury or Death .....	238
3.	Notice of Hearing for Dog that Caused Serious Bodily Injury or Death .....	239
4.	Order: Dog Caused Serious Bodily Injury or Death .....	240
C.	Dangerous Dogs	
1.	Complaint: Dangerous Dog Incident .....	241
2.	Notice of Dangerous Dog Complaint Filed .....	242
3.	Seizure Warrant for Dangerous Dog.....	243
4.	Notice of Dangerous Dog Hearing .....	244
5.	Dangerous Dog Judgment.....	245
6.	Application: Dangerous Dog Owner Failed to Comply .....	247
7.	Notice of Hearing: Owner Failed to Comply.....	248
8.	Dangerous Dog Judgment: Owner Failed to Comply .....	249
9.	Seizure Warrant for Dangerous Dog: Owner Failed to Comply .....	250


## **XVII. FINANCIAL MANAGEMENT & COURT ADMINISTRATION**

A.	Payment Receipt .....	251
B.	Officer Mileage Log .....	252
C.	Fraudulent Lien Sign .....	253
D.	Fraudulent Lien Sign - Spanish .....	254



E.	Rule 12 Letter .....	255
F.	Order of Recusal or Disqualification .....	256
G.	Order of Referral Upon Motion for Recusal or Disqualification .....	257
 H.	Bill of Costs .....	258

## **XVIII. GOVERNMENT & AGENCY FORMS**

A.	Office of Court Administration	
1.	Official Municipal Court Monthly Report .....	259
2.	Report of Change or Vacancy in Judge/Clerk/Mayor Position .....	264
3.	Municipal Court Security Incident Report .....	265
B.	Department of Public Safety	
1.	Application for Copy of Driver Record .....	266
2.	DIC-18: Notice of Final Conviction for Traffic Law Violation (Misdemeanor) .....	268
3.	DIC-81: Notice of Violation Notice of Restoration Minor's License Only Failure to Appear Failure to Pay Fine .....	269
 4.	DL-115: Notice of Conviction and Suspension/Disqualification .....	270
5.	DIC-21: Notice of Suspension-Violation of License or Certificate Provision .....	271
6.	DPS Correction Form .....	272
7.	Nonresident Violator Compact: Notice of Failure to Comply with Terms of Citation .....	273
C.	Comptroller of Public Accounts	
1.	Quarterly Report: State Criminal Costs and Fees .....	279
2.	Child Safety Seat and Seatbelt Fines .....	280
3.	Excess Highway Fines .....	281
4.	Photographic Enforcement Systems .....	282
D.	State Bar of Texas	
1.	State Bar of Texas Attorney Grievance Form .....	283
2.	State Bar of Texas Attorney Grievance Form-Spanish .....	289
E.	State Commission on Judicial Conduct	
1.	State Commission on Judicial Conduct Complaint Form .....	295
2.	State Commission on Judicial Conduct Complaint Form-Spanish .....	297

## **XIX. SAMPLE ORDINANCES**

A.	Sample Ordinance – Municipal Court Building Security Fund .....	299
B.	Sample Ordinance – Municipal Court Technology Fund .....	301
C.	Sample Ordinance – Municipal Court Juvenile Case Manager Fund .....	303

## **XX. PROSECUTOR FORMS**

A.	Prosecutor's Admonishment .....	304
B.	Waiver of Right to be Prosecuted by Complaint .....	305
C.	Sentence Recommendation in Exchange for Waiver of Appeal .....	306
D.	Motion for Recusal/Disqualification of Judge .....	307
E.	Motion for Continuance .....	308
F.	Motion and Order to Dismiss .....	309
G.	Writ of Procedendo: Joint Application .....	310
H.	Writ of Procedendo: State Application .....	311



## **ABBREVIATIONS USED IN THIS FORMS BOOK**

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A.B.C.	Alcoholic Beverage Code
Art.	Article
C.C.P.	Code of Criminal Procedure
E.C.	Education Code
F.C.	Family Code
G.C.	Government Code
H.S.C.	Health and Safety Code
JNA	Juvenile Now Adult
No.	Number
P.C.	Penal Code
Sec.	Section
T.C.	Transportation Code
TMCEC	Texas Municipal Courts Education Center
VACS	Vernon's Annotated Civil Statutes